



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

CIVIL DIVISION

NOV 29 1971

Dear Mr. Heffelfinger:

Thank you for your letter of September 17, 1971, with enclosures containing the Coast Guard's comments on our draft report entitled Review of Selected Activities of the Coast Guard Related to Recreational Boating. While the draft report was with the Department for review, the Congress passed the Federal Boat Safety Act of 1971 (Public Law 92-75, approved August 10, 1971), which should have a major effect on the Coast Guard's administration of the recreational boating program. We have concluded, therefore, that reporting to the Congress on program weaknesses which existed prior to the new legislation would not be timely.

Our analysis of Coast Guard comments shows, however, that two areas discussed in the draft remain in need of strengthening by administrative action.

Assessment and Collection of Fines

Coast Guard has followed a practice of usually not fining violators of boating safety requirements. Although Coast Guard had issued penalty assessment guidelines, they were not binding on district commanders. The lenient manner in which the district commanders administered the guidelines resulted in about 47,900 of 57,400 violation cases handled during 1968, 1969 and 1970 being closed without penalty.

Coast Guard indicated in its comments that the new legislation will permit the Coast Guard to simplify its penalty assessment program and that it is drafting revised regulations for this purpose. We note, however, that interim instructions, Commandant Notice 5904, dated October 12, 1971, provide that district commanders will continue to determine whether or not to assess penalties for violations. In our opinion, a uniform system under which penalties are assessed which bear a realistic relationship to the nature of violations, is needed to promote improved boating safety.

Charges for Services

Because Coast Guard followed a practice of usually not charging recreational boaters for goods and services provided to them, we suggested that Coast Guard revise its regulations to define the circumstances under which charges for services should be made. Our suggestion

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was based, in part, on Coast Guard records which showed that during one year it provided assistance in about 18,000 cases where it determined there was no immediate or foreseeable danger to life or property, but charged for the assistance provided in only 93 cases, 81 of which occurred in one district.

Coast Guard commented that each request for assistance is either a distress or a potential distress case and proposed to make no changes in its regulations or practices. We recognize Coast Guards' responsibility for safety of life and property, and we agree that charges for services should not be imposed in such a way as to discourage the use of facilities and services necessary for safety. However, considering the high volume of cases which are not classified as distress but where Coast Guard provides fuel, supplies, and other assistance at no charge, we remain of the view that Coast Guard should revise its policies toward giving greater recognition to the general Government policy of charging for services rendered to specific groups.

We appreciate the cooperation and courtesies extended to us by Department officials during our review. We would appreciate your advice on any actions the Coast Guard may take concerning the matters discussed in this letter.

Sincerely yours,



Richard W. Kelley
Assistant Director

Mr. William S. Heffelfinger
Assistant Secretary for Administration
Department of Transportation